

ZB# 73-26

Edna Lauterbach

45-1-33

13-26 - Mrs. Sauterbach

Public Hearing

~~Sept.~~ Nov. 5, 1973 - 8 pm.

Orange Co. Planning Dept.

Notified by Mr. Bloom on 9/29/73

All fees paid

Sent to Julie T. -
10/21/73.

File

73-26 - Mrs. Lauterbach

Received
11/27/73
9:00 AM
DP.



Oxford

STOCK No 752

MADE IN U S A

45-1-33

**PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD OF AP-
PEALS**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 42-33-A of the Zoning Ordinance on the following propo-
sition:

Appeal No. 24
Request of Edna Lauterbach for a Variance Conditional Use Permit of the regulations of the Zoning Ordinance to permit the use of premises to conduct the business of a Nurses Registry, being a Variance Conditional Use Permit of Article 1112 Section 48-7 for property owned by her situated as follows: 42 Continental Drive, New Windsor, New York.

SAID HEARING will take place on the 5th day of November, 1973 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8:00 o'clock P.M.

FRED WYGANT,
Chairman
By: Patricia Delle, Secy.

Oct 23

State of New York
County of Orange, ss:

Mary Hoffman, being duly sworn deposes and says that he is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published

Once
in said newspaper, commencing on the 23rd day of
October A.D., 19 73, and ending on
the 23rd day of October A.D., 19 73

Subscribed and sworn to before me this
..... 23rd day of October 19 73

Mary Hoffman

Charles Suchoff

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1975

Adopted 12/20/65

45-1-33

APPLICATION FOR VARIANCE

Application No. 73-26
Date: 9/27/73

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I ~~(XXX)~~ Edna Lauterbach of 42 Continental Drive
(Street & Number)
New Windsor New York HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

- A. Location of the Property 42 Continental Drive RB
(Street & Number) (Zone)
- B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) Section 48-7
- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:
1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Applicant is a Registered Nurse who wishes to run a nurses' registry out of her residence. Ninety (90%) percent of this business is done by telephone. No more than one person will be present at applicant's residence at any one time.
 2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Applicant is a registered nurse as well as a mother of infant children. She will be able to fulfill both occupations if she is permitted to conduct a nurses' registry from her residence.
 3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: The Nurse Practice Act of 1972 (N.Y. Education Law, Art. 130-139 of Title VIII) has recognized the Registered Professional Nurse as an independent practitioner. Applicant wishes to give effect to this new status in the Hudson Valley area.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: This business will not generate major traffic flows; there will be no signs or displays; but will be similar to any other professional office operating on an appointment only basis.
5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: Since this purpose of this business is to fulfill the need for quality nursing care in the area's hospitals and homes, this is not a completely selfish self-oriented request.
- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.
- The applicant's house is a split-level with garage facing the road.
- The garage will be re-structured to accommodate a door and picture window. Applicant will conduct most of the business by telephone--with applicants meeting with her on an appointment basis causing only one car to be present at any point in time.
- E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.
- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.
- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: September 27, 1973

Sandra A. Lauterbach
Signature of Applicant

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this 27th day of September, 19 73.

42 Continental Drive
New Windsor, New York 12550
Address

[Signature]
(Notary Public)

561-1921
Telephone Number

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision _____

Date Received _____
Notice Published _____

DECISION:

Granted 11/5/73

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

file
555 Union Avenue
New Windsor, N.Y.
November 9, 1973

State of New York
Dept. of Labor - Div. of Labor Standards
80 Centre Street
New York, N. Y. 10013

RE: HUDSON VALLEY NURSING CARE REGISTRY
Edna Lauterbach
Attn: Mr. I. Greenfield

Dear Sir.

Please be advised that the above applicant, Mrs. Edna Lauterbach of 42 Continental Drive, New Windsor, New York, has been granted a variance to operate a nurses registry at her residence, located in an RB zone in the Town of New Windsor, New York.

Yours truly,

F.W.

FRED WYGANT, Chairman
New Windsor Zoning Board of Appeals

/nd

cc: Peter Bloom, Esq.
P. O. Box 477
Vails Gate, N. Y. 12584

LAW OFFICES

Daniel J. Bloom ←

Peter E. Bloom

September 14, 1973

*Call
action*

ROUTE 94 POST OFFICE BOX 477
VAILS GATE, NEW YORK 12584

TELEPHONE (914) 561-6920

Mr. Fred Weygant
Chairman of the Zoning Board of Appeals
of New Windsor
c/o Newburgh Savings Bank
94 Broadway
Newburgh, New York 12550

RE: Hudson Valley Nursing Care Registry, Inc.
Our File No. 656

Dear Mr. Weygant:

Pursuant to the suggestion of Mr. Howard Collett, Building Inspector for the Town of New Windsor, I am writing to you to elicit your opinion with respect to an undertaking one of our clients wishes to pursue.

We represent Mrs. Lauterbach, of 42 Continental Drive, New Windsor, New York, who wishes to conduct a Nurses Registry, i.e., an employment agency limited to the placement of nurses and nurses' aids. She wishes to pursue this business out of her home at 42 Continental Drive, New Windsor, New York, which I understand to be a "RB" district. Mrs. Lauterbach does not intend to alter the structure of her house or the grounds around it in any way to meet the needs of this business; nor does she intend to place a sign advertising this business on her house or property in any way. In essence, the business will be conducted over the telephone with applicants coming to her house to occasionally to fill out an application and to be interviewed.

When Mrs. Lauterbach presented these facts to me, I reviewed the New Windsor Zoning Ordinance and came to the tentative conclusion that this might be a permissible accessory use of her residence at 42 Continental Drive, New Windsor, New York, pursuant to Section 48-7 of the New Windsor Zoning Ordinance. However, I would appreciate your confirmation, modification or rejection of my opinion so that I may give a definitive opinion to Mrs. Lauterbach.

LAW OFFICES

Daniel J. Bloom

Peter E. Bloom

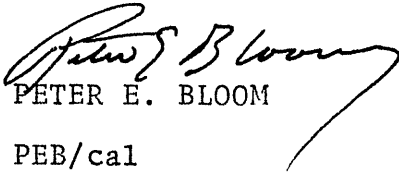
Mr. Fred Weygant

-2-

September 14, 1973

Thank you in advance for your cooperation in this regard.

Very truly yours,


PETER E. BLOOM

PEB/cal

LAW OFFICES

Daniel J. Bloom
Peter E. Bloom

September 27, 1973

ROUTE 94 POST OFFICE BOX 477
VAILS GATE, NEW YORK 12584

TELEPHONE (914) 561-6920

Miss Patricia DeLio
c/o New Windsor Zoning Board
of Appeals
7 Franklin Avenue
New Windsor, New York 12550

Re: Mrs. Edna Lauterbach
42 Continental Drive
New Windsor, New York 12550
Application for Variance
Our File No. 656

Dear Pat:

Enclosed please find the following items in support of the Application for Variance of our client, Mrs. Edna Lauterbach:

1. ✓ Original plus one copy of Public Notice of Hearing before the Zoning Board of Appeals.
2. ✓ Original plus one copy of Application for Variance.
3. ✓ Copy of correspondence that will be forwarded via certified mail, return receipt requested, to each of the individuals designated for service by the Tax Assessor.
4. ✓ Copy of correspondence that will be forwarded to the Orange County Planning Department.
5. ✓ Copy of blue prints, reflecting the contemplated change in our client's residence in connection with this Application for Variance.
6. ✓ Our check, No. 1044, payable to the order of the Town of New Windsor, in the amount of \$25.00 to cover the application fee.
7. ✓ Our check, No. 1045, payable to your order to cover your fee for the taking of Public Hearing Minutes.

May I request your kind cooperation to secure publication under the appropriate Town Regulations in order that this hearing

LAW OFFICES

Daniel J. Bloom

Peter E. Bloom

September 27, 1973

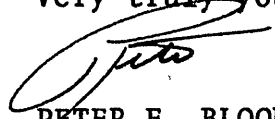
2

Miss Patricia DeLio

may be held on November 5, 1973.

Thank you.

Very truly yours,



PETER E. BLOOM

PEB:bm
Encs.

LAW OFFICES

Daniel J. Bloom

Peter E. Bloom

ROUTE 94 POST OFFICE BOX 477
VAILS GATE, NEW YORK 12584

TELEPHONE (914) 561-6920

September 27, 1973

Orange County Planning Department
Goshen, New York 10924

Re: Mrs. Edna Lauterbach
42 Continental Drive
New Windsor, New York 12550
Application for Variance
Our File No. 656

Dear Sirs:

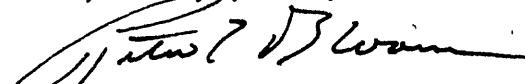
Enclosed herewith please find a copy of Application for Variance in the above-referenced matter, the original of which was forwarded to the New Windsor Zoning Board of Appeals for hearing on November 5, 1973, at 8:00 p.m.

I also enclose herewith a copy of blue prints reflecting the contemplated change in our client's residence in connection with this variance.

These enclosures are forwarded pursuant to instructions of the New Windsor Zoning Board of Appeals in accordance with Sec. 239-1 and M of the General Municipal Law.

Thank you.

Very truly yours,



PETER E. BLOOM

PEB:bm
Encs.

CERTIFIED MAIL RETURN RECEIPT REQUESTED

LAW OFFICES

Daniel J. Bloom

Peter E. Bloom

ROUTE 94 POST OFFICE BOX 477

VALES GATE, NEW YORK 12584

TELEPHONE (914) 561-6920

(NOTE: The attached list was sent this
letter - a total of 40)

Expenses involved: Postage: 40 x .53* \$21.20
Phptostating: 40 x .25= 10.00
September 27, 1973 \$31.20

Re: Mrs. Edna Lauterbach
42 Continental Drive
New Windsor, New York 12550
Application for Variance
Our File No, 656

Please be advised that Mrs. Edna Lauterbach of 42 Continental Drive, New Windsor, New York, will petition the Zoning Board of Appeals of the Town of New Windsor, New York, on November 5, 1973, at 8:00 p.m., at the New Windsor Town Hall, Union Avenue, New Windsor, New York, for a variance relative to her premises, i.e., 42 Continental Drive, New Windsor, New York, so as to enable her to conduct a nurse's registry (an employment agency for nurses) from said premises.

This notice of the contemplated action of Mrs. Edna Lauterbach is being given to you in order to afford you an opportunity to indicate your opposition to or concurrence in the request for variance.

Thank you.

Very truly yours,

Peter E. Bloom
PETER E. BLOOM

PEB:bm

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

7 Franklin Avenue
New Windsor, N.Y.
October 3, 1973

Orange County Planning Dept.
County Government Center
Goshen, N. Y. 10924

Attn: Vincent Poloniak

RE: PUBLIC HEARINGS - November 5, 1973

Dear Vince:

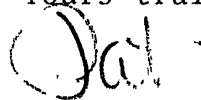
I have enclosed the following applications for
variances which public hearings will be held on Monday evening,
November 5, 1973:

Application of Edna Lauterbach
Application of Calvet Tool Rental
Application of Benjamin Harris

If you have any questions, please call me.

Thank you for your usual prompt service.

Yours truly,



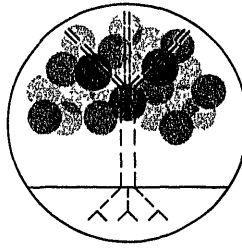
PATRICIA DELIO, Secretary
New Windsor ZBA

/pd

Encs.

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner
Our File NWT-73-32-M



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

October 19, 1973

Mr. Fred Wygant, Chairman
Town of New Windsor Zoning Board of Appeals
c/o Ms. Patricia Delio, Secretary
7 Franklin Avenue
New Windsor, New York 12550

RE: Variance of Edna Lauterbach, Continental Drive

Dear Mr. Wygant:

We are in receipt of the above-named application. In accordance with General Municipal Law, Section 239 1 and m, we have reviewed this application with the following comments:

1. Section 48-6(5)(B) of the Town's Zoning Law allows for offices of certain professionals to locate in an RB zone. Although a nurses' registry is not among those listed, we are of the opinion that such an office use, if conducted as proposed by the applicant, will not have a deleterious effect upon the health, welfare, and safety of the surrounding community.
2. We believe that the stated use may have less of an impact than other professional office uses now allowed in the zone in terms of traffic generation, display signs, and other nuisances.
3. From the site plan sent to us, it seems that the office use will not exceed the 30% ground floor limit designated as the cut-off point by the Town's law.

Mr. Fred Wygant

- 2 -

October 19, 1973

We find no objection to the aforementioned applicant to use her residence as specifically stated in her application for a variance.

Very truly yours,

A handwritten signature in cursive script that reads "Peter Garrison".

Peter Garrison
Commissioner of Planning

Reviewed by:

Thomas E. Markowski,
Planner

PG/as



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

Ellsworth E Weyant

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

- 1763
- | | |
|--|---|
| ✓ Gozza, Leonard F. & Freida R.
30 Continental Drive
New Windsor, New York 12550 | ✓ Darlene Enterprises, Inc.
P.O. Box 186
Kingston, New York 12401 |
| ✓ Harris, Joseph M. & Lillian D.
32 Continental Drive
New Windsor, New York 12550 | ✓ Stinson's Tropical World
3 Brooker Drive
Newburgh, New York 12550 |
| ✓ Cimorelli, Michael J. & Roberta
34 Continental Drive
New Windsor, New York 12550 | ✓ Horowitz, William Corp.
711 East 140th Street
New York, New York 10454 |
| ✓ Pawlowicz, Edward T. & Mary F.
36 Continental Drive
New Windsor, New York 12550 | ✓ Catanzaro, Ignazio & Charles
10 Willow Parkway
New Windsor New York 12550 |
| ✓ McKay, Robert A. & Amelia D.
38 Continental Drive
New Windsor, New York 12550 | ✓ Schmitt, Theodor, Lena, Ruppert,
John, Koni
30-47 29th Street
Astoria, New York 10 |
| ✓ Garcia, Javier R. & Norma C.
40 Continental Drive
New Windsor, New York 12550 | ✓ Lanthier, Carol H.
27 Continental Drive
New Windsor, New York 12550 |
| ✓ Muise, Raymond J. & Pauline L.
44 Continental Drive
New Windsor, New York 12550 | ✓ Amen, Anthony & Ida N.
25 Continental Drive
New Windsor, New York 12550 |
| ✓ Kroun, Sanford & Renee
46 Continental Drive
New Windsor, New York 12550 | ✓ Gogerty, Robert J.
15 Musket Place
New Windsor, New York 12550 |
| ✓ Deery, Edward J. & Eileen
48 Continental Drive
New Windsor, New York 12550 | ✓ Valentino, Peter A. & Dolores A.
13 Musket Place
New Windsor, New York 12550 |
| ✓ Stivala, George J. & Viola
P.O. Box 185
Vails Gate New York 12584 | ✓ Nadler, Ernest & Carolyn
11 Musket Place
New Windsor, New York 12550 |
| ✓ Kaduk, Daniel & Eleanor K.
C/O Northern Homes Equipment
MD15 Route 17K
Newburgh, New York 12550 | ✓ Kehl, Joseph F. Jr. & Joan M.
9 Musket Place
New Windsor, New York 12550 |
| ✓ Harris, Benjamin
P.O. Box 2552
Newburgh, New York 12550 | ✓ Carreira, John P.
7 Musket Place
New Windsor, New York 12550 |
| ✓ Rottmeier, Rudolf
9 Weather Oak Hill
New Windsor, New York 12550 | ✓ Shook, Kenneth R. & Caroline M.
5 Musket Place
New Windsor, New York 12550 |
- 14
2110



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

Ellsworth E. Weyant

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

✓ Slavín, John E. & Virginia A.
1 Regimental Place
New Windsor, New York 12550

✓ Stenglein, George & Anna
334 Windsor Highway
New Windsor, New York 12550

✓ Kucyk, John & Frances T.
41 Continental Drive
New Windsor, New York 12550

✓ Deyo, Donald & Margaret
340 Windsor Highway
New Windsor, New York 12550

✓ Jacobson, Howard & Hilda
39 Continental Drive
New Windsor, New York 12550

✓ Newburgh Board of Education
98 Grand Street
Newburgh, New York 12550

✓ Lang, Frank G. & Regina G.
35 Continental Drive
New Windsor, New York 12550

*Stephen Donochy, Mr & Mrs.
307 Continental Drive
New Windsor, N.Y. 12550*

✓ Lansing, Raymond T. & Annabelle
33 Continental Drive
New Windsor, New York 12550

✓ Beckley, Harold J. & Sandra P.
31 Continental Drive
New Windsor, New York 12550

✓ Smith, Edward & Lenore
29 Continental Drive
New Windsor, New York 12550

Respectfully submitted,

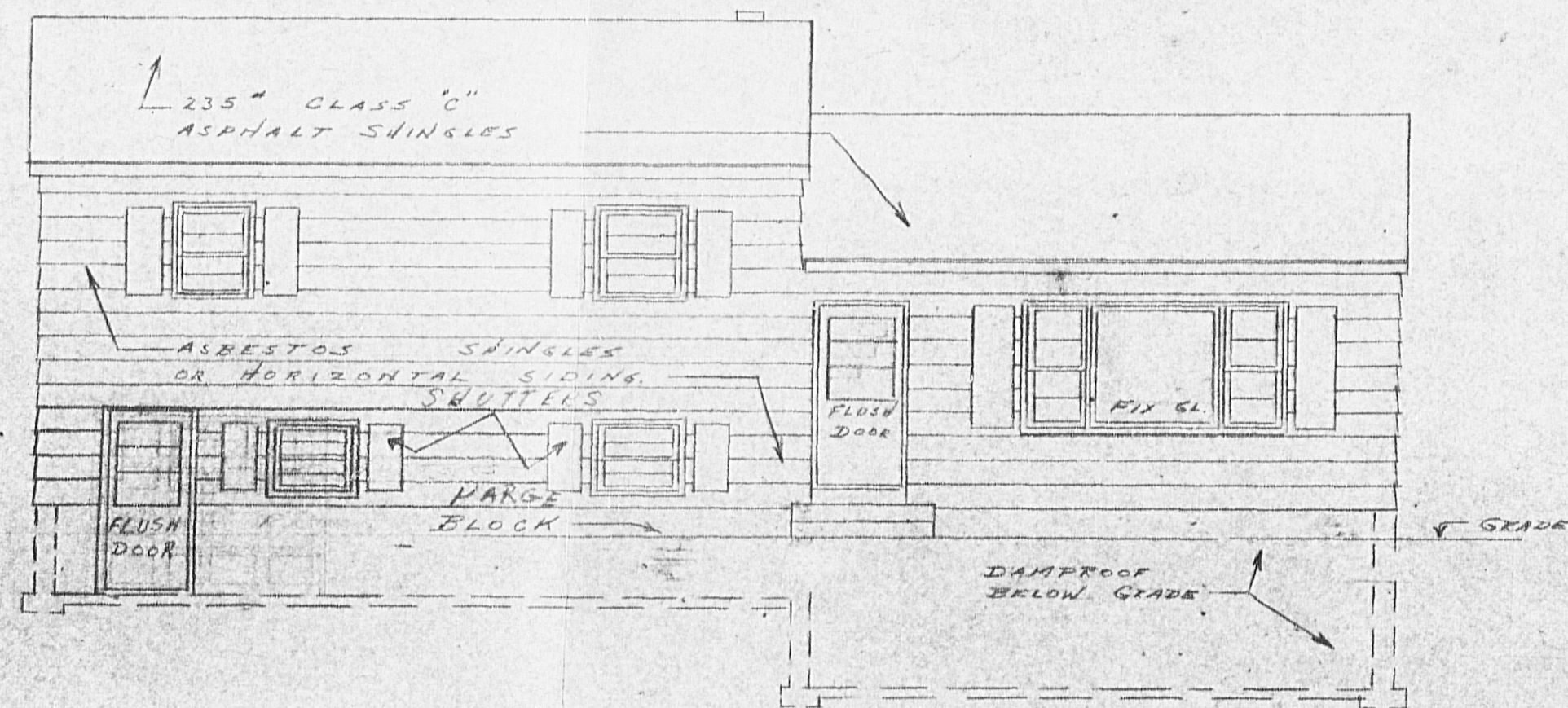
✓ Giola, Joseph F. & Diana B.
8 Musket Place
New Windsor, New York 12550

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

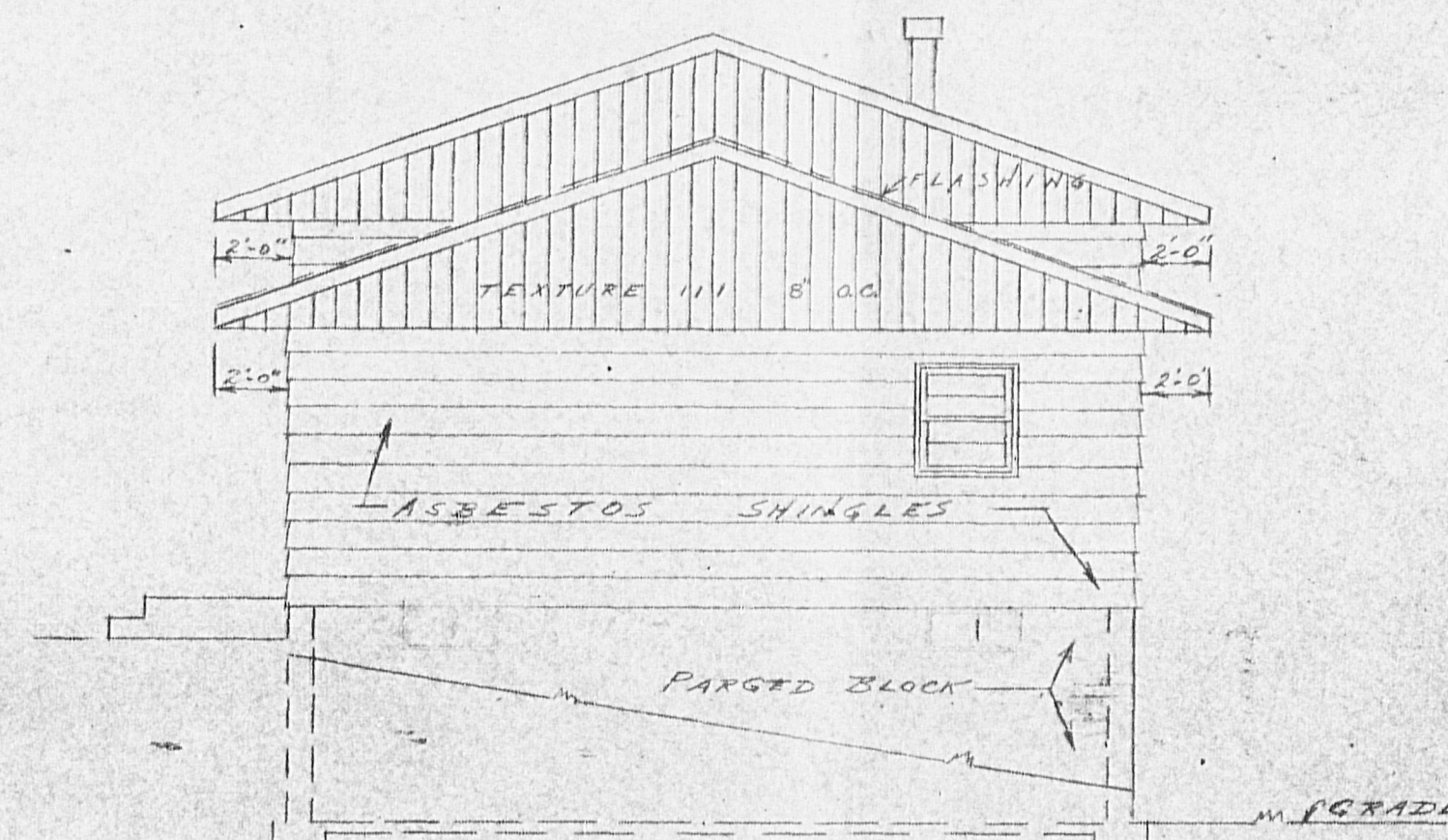
✓ Delia, Alfred C. & Helen A.
16 Cannon Drive
New Windsor, New York 12550

✓ LeStrange, Richard M. & Nancy D.
21 Continental Drive
New Windsor, New York 12550

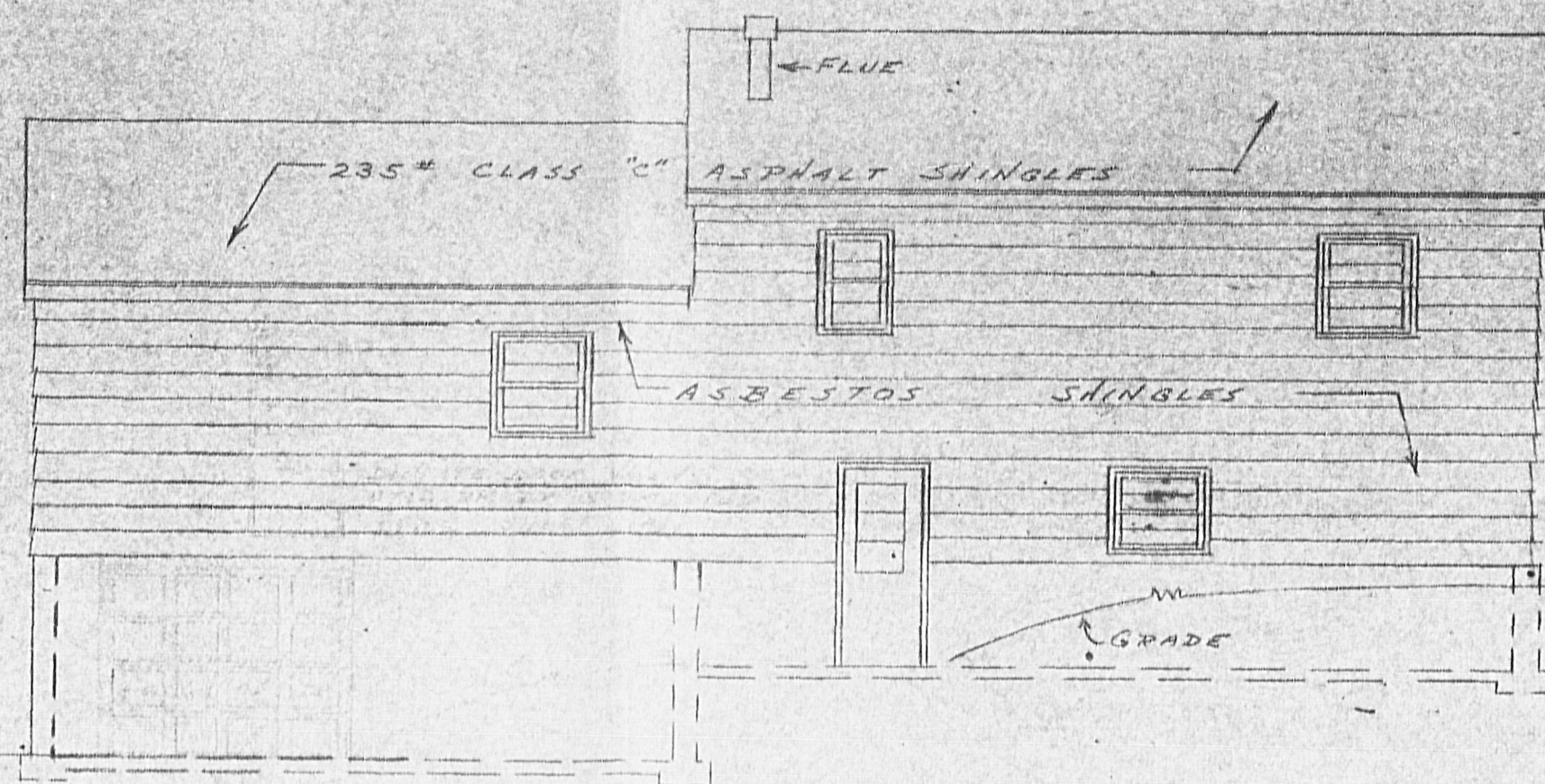
✓ Brodeski, Cazmer S. & Dorothy A.
10 Musket Place
New Windsor, New York 12550



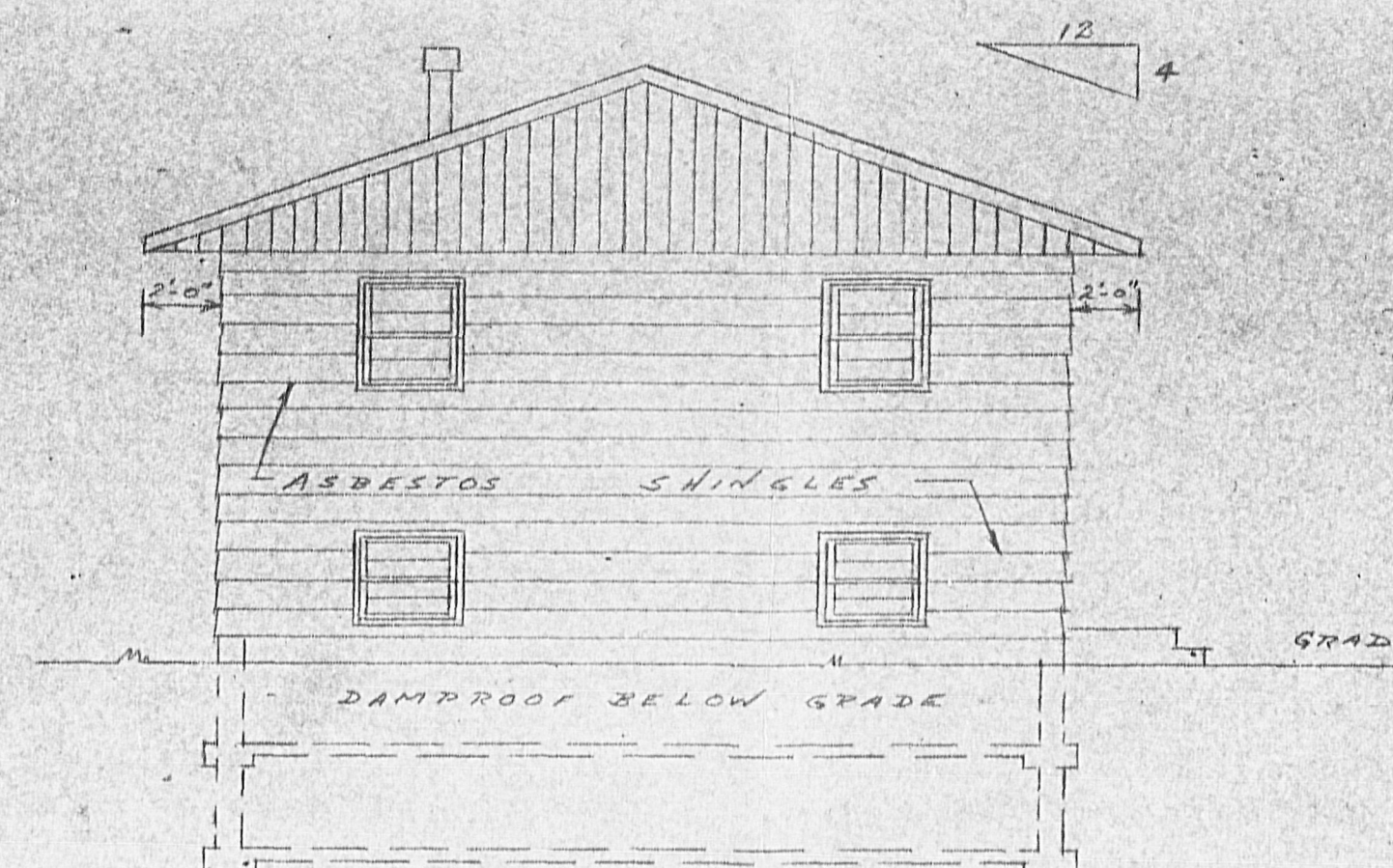
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

1965	SPLIT LEVEL		
MODEL	46'-0" x 24'-0" RFD.		
DRAWN W.T.V.	SCALE 3/16" = 1'-0"	REVISIONS	DATE
CHECKED		L.M.V./p	8-26-65
APPROVED V.B.			
DATE JAN. 1965			
TITLE SCHOONMAKER BROS			NO.
RT 34			3
NEWBURGH, N.Y.			